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Application/Control Number: 10/792,354
Art Unit: 3671

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/792,354

Filed: Mar. 2, 2004

Applicant: Max Kadiu

Title: Shoring System

Examiner: Gary Hartmann

Cupertino, January 26, 2005

Mail Stop Non-Fee Amendments

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response of the Office action of November 17, 2004, included herewith starting on page 2, please amend the above identified application as follows:

Notice of references cited begin page 4 of this Amendment.

Amendment to the Specification begin on page 5 of this Amendment.

Amendment to the Claims are reflected in the listing of claims which begins on page 8 of this Amendment.

Amendment to the drawings begin on the page 21 of this Amendment.

Remarks begin on page 22 of this Amendment.

An Appendix showing all currently amended claims in a clean version (w/o underline or bold characters) 5 pages.

Very respectfully,

Max Kadiu

The Applicant

DETAILED ACTION

An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skills in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon the skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Election/Restriction

Applicant's election with traverse of Invention in the reply filed on October 18, 2004 is acknowledged. The traversal is on the ground(s) that the two inventions have common functional and structural compatibility. This is not found persuasive because, although the purpose of the two inventions is similar and may be used together, significant and patentably distinct differences are recited in the claims.

The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

The information disclosure statement filed March 2, 2004 fails to comply with 37 CFR 1.29(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. Specifically, the foreign references have not been provided.

Drawings

It is not clear if Figures A and B, filed in response to the restriction requirement, are or are not intended to be part of the application. If these figures are intended to be part of the

application, they should be labeled with numbers (Figures 19 and 20, for example) and a brief and detailed descriptions must be added to the specifications.

Claim Objections

Claim 1 is objected to because it must be in a single sentence form. In other words, each of the periods in the body of the claim must be replaced, by semicolons for example.

Appropriate correction is required.

Claim 2 and 9 are objected to because the phrase “as per definition” is improper claim language. Further regarding claim 9, the reference to claim 4 in the last line is redundant, since the claim already depends from claim 4. Appropriate correction is required.

Claim 13 and 14 are objected to because the recitation of the terms “quasi flush” and “partial” respectively, are unclear. Appropriate correction is required.

Claim Rejections – 35 USC §112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

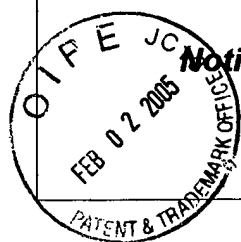
Claims 3 and 5 are rejected under of 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.

The limitations of claims 3 and 5 contradict recitations of parent claims 2 and 4, respectively.

Allowable Subject Matter

Claims 1, 2, 4, 6-9 and 11-15 would be allowable if rewritten or amended to overcome the objections set forth in this Office action.

Conclusions



Notice Of Reference Cited

Application/Control No. 10/792,354	Applicant(s)/Patent Under Reexamination KADIU, MAX	
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U.S. PATENT DOCUMENTS

		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-3,530,679	01-1969	Krings, Josef	405/282
	B	US-3,621,660	05-19970	Krings, Josef	405/282
	C	US-5,503,504	05-1994	Hess, Wilhelm et al.	405/282
	D	US-4,054,033	10-1977	Pillosio, Roberto	405/282
	E	US-6,224,296	07-1998	Fukumori, Kenich	405/282
	F	US-3,910,053	10-1975	Krings, Josef	405/282
	G	US-4,657,442	04-1987	Krings Josef	405/282
	H	US-5,310,289	07-1993	Hess, Wilhelm	405/282
	I	US-6,164,874	12-2000	May, Helmut	405/283
	J	US-5,720,580	02-1998	Ryhsen, Dieter	405/282
	K	US-5,302,054	04-1994	Winkler, W. E.	405/282
	L	US-6,821,057	11-2004	Kadiu, M.	405/282
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FOREING PATENT DOCUMENTS

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	N	EU-0 100 083	08-1984	May, Helmut	E21D 5/12

NON-PATENT DOCUMENTS

		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages
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